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-and-

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Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

-----X	:	
NATIONAL FERTILIZERS LIMITED,	:	
	:	Civil Action No. 01-CV-5397 (JAG)
Plaintiff,	:	
	:	
-against-	:	Judge Joseph A. Greenaway, Jr.
	:	
MURTY S. VEPURI and	:	
VARALAXMI VEPURI,	:	
	:	<u>Document Electronically Filed</u>
Defendants.	:	
-----X	:	

**DECLARATION OF PHILIP D. ROBBEN IN OPPOSITION TO
DEFENDANTS' MOTION *IN LIMINE* AS TO CHOICE OF LAW**

PHILIP D. ROBBEN, declares, pursuant to 28 U.S.C. § 1746, that:

1. I am associated with the law firm of Kelley Drye & Warren LLP,
attorneys for plaintiff, National Fertilizers Limited ("NFL"), in this action. I am admitted to

practice law in the State of New Jersey and in this district. Kelley Drye & Warren LLP maintains a *bona fide* office for the practice of law in New Jersey.

2. I make this declaration in opposition to Defendants' motion *in limine* as to choice of law, filed on or about November 30, 2004, seeking to have the Court apply the laws of India to this matter. More specifically, I make this declaration to submit certain documents and correspondence in opposition to Defendants' motion.

3. I make this declaration from my own knowledge of the facts and circumstances set forth herein. The source of my knowledge is my review of Kelley Drye & Warren LLP's file on this litigation, including my review of the documents and correspondence annexed as exhibits hereto.

4. Annexed hereto as Exhibit A is a true and correct copy of the notice of appearance filed in this action by the Law Offices of Susheela Verma on or about July 12, 2004.

5. Annexed hereto as Exhibit B is a true and correct copy of a letter, dated August 3, 2004, from Paul F. Doyle to the Hon. Joseph A. Greenaway, Jr.

6. Annexed hereto as Exhibit C is a true and correct copy of a letter, dated August 4, 2004, from Paul H. Mandal to the Hon. Joseph A. Greenaway, Jr.

7. Annexed hereto as Exhibit D is a true and correct copy of a letter, dated August 9, 2004, from Paul F. Doyle to the Hon. Joseph A. Greenaway, Jr.

8. Annexed hereto as Exhibit E is a true and correct copy of a letter, dated September 3, 2004, from Philip D. Robben to Paul H. Mandal (with attachment).

9. Annexed hereto as Exhibit F is a true and correct copy of a letter, dated September 20, 2004, from Susheela Verma to the Hon. Joseph A. Greenaway, Jr. (with enclosures).

10. Annexed hereto as Exhibit G is a true and correct copy of a letter, dated September 22, 2004, from Paul F. Doyle to the Hon. Joseph A. Greenaway, Jr. (with enclosures).

11. Annexed hereto as Exhibit H is a true and correct copy of a letter, dated September 27, 2004, from Susheela Verma to the Hon. Joseph A. Greenaway, Jr.

12. Annexed hereto as Exhibit I is a true and correct copy of a letter, dated October 20, 2004, from Susheela Verma, to the Hon. Joseph A. Greenaway, Jr. and the Hon. G. Donald Haneke (with enclosures). Page numbers I 1 through I 31 have been added to this exhibit by counsel for NFL for ease of reference since the document, as received by my office, did not have the pages in the correct order.

13. Annexed hereto as Exhibit J is a true and correct copy of a letter, dated October 29, 2004, from Paul H. Mandal to the Hon. Joseph A. Greenaway, Jr. and the Hon. G. Donald Haneke (with enclosures).

14. Annexed hereto as Exhibit K is a true and correct copy of a letter, dated October 26, 2004, from Paul F. Doyle to the Hon. Joseph A. Greenaway, Jr. (with annexures).

15. Annexed hereto as Exhibit L is a true and correct copy of the Court's "Minutes of Proceedings" dated November 1, 2004.

16. Annexed hereto as Exhibit M is a true and correct copy of a letter, dated November 9, 2004, from Susheela Verma to the Hon. Joseph A. Greenaway, Jr. (with enclosures).

17. Annexed hereto as Exhibit N is a true and correct copy of a letter, dated December 6, 2004, from Paul F. Doyle to Susheela Verma.

18. Annexed hereto as Exhibit O is a true and correct copy of Defendants' December 8, 2004 draft of the pre-trial order in this action (with transmittal e-mail).

19. Annexed hereto as Exhibit P is a true and correct copy of a letter, dated December 9, 2004, from Susheela Verma to Paul F. Doyle (without enclosures).

20. Annexed hereto as Exhibit Q is a true and correct copy of a letter, dated December 9, 2004, from Susheela Verma to the Hon. Joseph A. Greenaway, Jr. (without enclosures).

I declare under penalty of perjury that the foregoing is true and correct. Executed on December 13, 2004.

s/ Philip D. Robben (PR 4135)
PHILIP D. ROBBEN

CERTIFICATE OF SERVICE

I, Philip D. Robben, hereby certify that the Declaration of Philip D. Robben in Opposition to Defendants' Motion *In Limine* as to Choice of Law was served by me by Federal Express on the 13th day of December, 2004 on the following persons by depositing a true copy thereof, enclosed in a prepaid, sealed envelope in an official depository exclusively maintained by Federal Express:

Susheela Verma, Esq.
Paul H. Mandal, Esq.
Law Offices of Susheela Verma
510 Thornall Street, Suite 385
Edison, NJ 08837

s/ Philip D. Robben (PR 4135)
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